

IN RE: PETITIONS FOR SPECIAL HEARING • BEFORE THE  
SPECIAL EXCEPTION & VARIANCE • ZONING COMMISSIONER  
E/S Goucher Boulevard, • OF BALTIMORE COUNTY  
SEC Joppa Road •  
9th Election District • Case No. 93-207-SPHXA  
4th Councilmanic District •  
Legal Owner: •  
Eudowood Holding Corporation •  
Contract Purchaser: •  
Showbiz Pizza Time, Inc., •  
Petitioner •

\*\*\*\*\*  
AMENDED FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter originally came before the Zoning Commissioner as a Petition for Special Hearing, Petition for Special Exception, and Petition for Zoning Variance for that property located near the intersection of Joppa Road and Goucher Boulevard known by many nearby residents as the "Old Two Guys Shopping Center" in Towson. The nature of the relief requested is fully set forth in my Findings of Fact and Conclusions of Law dated February 11, 1993. For the reasons fully set forth therein, I granted the Petitions and imposed a number of restrictions. Counsel for the Petitioner has filed a Motion for Reconsideration by way of correspondence dated February 17, 1993. As stated therein, the Petitioner is requesting a modification of the Order of February 11, 1993 to allow additional flexibility as to the identity of the corporation which will operate the proposed business. After careful consideration of the aforesaid Motion for Reconsideration and for the reasons therein, I will grant the said Motion.

NOW, THEREFORE, it is ordered by the Zoning Commissioner for Baltimore County this 2nd day of March, 1993 that my Order dated February 11, 1993

of the within case be and is amended to read as follows:

At page 10:

"1. The subject use shall be personal to that corporation and business entity now known as Showbiz Pizza Time, Inc., its successors, assigns, subsidiaries and other commonly controlled entities. Transfer of the authority under the special exception to any other entity will be permitted. . ." (emphasis added); and,

At page 13:

"2. The subject use shall be personal to that corporation and business entity now known as Showbiz Pizza Time, Inc., its successors, assigns, subsidiaries and other commonly controlled entities. Transfer of the authority granted under the special exception to any other entity will be permitted. . ." (emphasis added); and,

IT IS FURTHER ORDERED that the remainder of the Zoning Commissioner's opinion and Order issued on February 11, 1993, be and is hereby ratified and incorporated, except as specifically amended herein.

Any appeal from this decision must be taken in accordance with the applicable provisions of law.

*Lawrence E. Schmidt*  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

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Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



March 3, 1993

(410) 887-4386

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

Melinda B. Antalek  
Attorney at Law  
Hazel and Thomas, P.A.  
Suite 2100, 120 E. Baltimore Street  
Baltimore, Maryland 21202

RE: Petitions for Special Hearing, Special Exception and Variance  
Legal Owner: Eudowood Holding Corp.  
Contract Purchaser: Showbiz Pizza Time, Inc., Petitioner  
Case No. 93-207-SPHXA

Dear Ms. Antalek:

Enclosed please find a copy of the Amended Findings of Fact and Conclusions of Law rendered in the above captioned matter, as requested.

In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Appeals Clerk at 887-3391.

Very truly yours,

*Lawrence E. Schmidt*  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmm  
encl.

cc: Ms. Lola Richert, Showbiz Pizza Time, Inc.  
cc: Mr. Richard L. Smith, K.C.I. Technologies, Inc.  
cc: Ms. Martha H. Clarke, Towson Estates Association  
cc: Mr. Wayne Skinner, President, Towson-Lock Raven Community Council

IN RE: PETITIONS FOR SPECIAL HEARING • BEFORE THE  
SPECIAL EXCEPTION & VARIANCE • ZONING COMMISSIONER  
E/S Goucher Boulevard, • OF BALTIMORE COUNTY  
SEC Joppa Road • Case No. 93-207-SPHXA  
9th Election District •  
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Legal Owner: •  
Eudowood Holding Corporation •  
Contract Purchaser: •  
Showbiz Pizza Time, Inc., •  
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\*\*\*\*\*  
FINDINGS OF FACTS AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing, Petition for Special Exception, and Petition for Zoning Variance for that property located near the intersection of Joppa Road and Goucher Boulevard known by many nearby residents as the "Old Two Guys Shopping Center" in Towson. Within the Petition for Special Exception, permission is sought for use of a portion of the property for an arcade as described in Section 423.B of the Baltimore County Zoning Regulations (B.C.Z.R.). As to the Petition for Zoning Variance, relief is requested, pursuant to Section 230.11, to permit a maximum of 20 coin operated children's rides in lieu of the permitted maximum of 6 coin operated children's rides. Lastly, as to the Petition for Special Hearing, an amendment of the previously approved site plan in a prior zoning case (89-339-SPHA) is requested to allow a new plan to be approved showing a restaurant with an arcade in a portion of the retail space on the site. Also requested is a reaffirmation of the parking variances previously granted in zoning case Nos. 86-106-A and 89-339-SPHA. Further, pursuant to Section 409.4 of the B.C.Z.R., relief is requested to allow existing parking spaces with direct access to driveways to remain in lieu of the required spaces with no direct access. All of the requested relief is more particularly shown on Petitioner's Exhibit No. 2, the plat to accompany the Petitions.

ORDER RECEIVED FOR FILING  
Date 3/11/93  
By Dr. Smith

Appearing and participating at the public hearing held for this case was Richard L. Smith, of K.C.I. Technologies, Inc. Mr. Smith prepared the site plan to accompany the Petitions. Also appearing was Lola Richert of Showbiz Pizza Time, Inc. This corporation proposes to sublease certain space at the subject shopping center to operate a restaurant/arcade. The Petitioner was represented by Melinda B. Antalek, Esquire. Also testifying in support of the Petitions was Glen Cook, Traffic Engineer from The Traffic Group, Inc. Also present at the hearing was a representative of Kids-R-Us, the lessor of the space which the restaurant/arcade will occupy. Also appearing was an agent for the owner of the entire shopping center, Eudowood Holding Corporation. Appearing as interested parties/protestants were two residents of the surrounding locale. They were Martha H. Clark, who appeared individually and as President of Towson Estates Association, and Robert Stephan, a resident of the nearby locale.

Mr. Smith testified and presented the plan. The subject site is approximately 14.5 acres in area and is zoned B.L.-C.C.C. It is a triangular shape parcel bordering Joppa Road on the north, Goucher Boulevard on the southwest and Prince Road on the east. The parcel has been used as a shopping center for approximately 30 years. Originally, it was the site of the Two Guys Department Store. The total leasable gross floor area of the center is 155,629 sq. ft. Presently, the tenants of the shopping center include a supermarket, F & M Drugs, Petstuff, Staples Office Store, Kid-R-Us (retail use), Consumer Credit Corporation, Dominos Pizza and Pearl Express Vision Center. Except for the Pearl Express Vision Center, all of the tenants are located in a single structure in the northern portion of the site. The Pearl Express business stands alone in an existing one story building on the

southern portion of the site. Further, the site is improved with a large parking area to support the business/retail uses.

As to the zoning history of the site, the matter originally came before the Deputy Zoning Commissioner, Jean Jung, in 1985. By her Order of December 9, 1985, she granted a Petition for Variance to allow 750 parking spaces in lieu of the required 811 spaces and to allow 10 persons to be engaged in the repair or fabrication of goods on the premises, in lieu of the allowed 5 persons. Deputy Commissioner Jung's Order also contained a number of restrictions attached to the relief granted. Subsequently, the case came before then Zoning Commissioner, J. Robert Haines, in June of 1989. By his Order of June 14, 1989, he granted a variance to permit 750 parking spaces in lieu of the required 767 spaces. Commissioner Haines' Order granting the Petition was also conditioned with several restrictions.

Mr. Smith further testified that no new construction is contemplated. Further, there will be no major renovation to the shopping center and the character and use of the property will not change. Rather, what is proposed is the sub-lease of approximately 9,280 sq. ft. by the Petitioner, Showbiz Pizza Time, Inc. This space will be leased from the Kids-R-Us retail use. The term of the lease will be approximately 11 years, which mirrors the Kids-R-Us lease with the shopping center owner.

Addressing first the Petition for Special Exception, extensive testimony was received from both Ms. Richert and Mr. Smith regarding the proposed use. It was stated that the proposed restaurant/arcade will occupy only a small portion of the total shopping center area; that is, 9,288 sq. ft. out of the total 155,629 sq. ft. of leasable area. Ms. Richert testified that the proposed restaurant will be operated by Showbiz Pizza Time, Inc., a corporation based in Irving, Texas. The restaurant/arcade will operate

under the trade name of Chuck E Cheese. This children's restaurant chain has other locations in Maryland, including several in Baltimore County.

Ms. Richert fully described the proposed restaurant operation and presented numerous exhibits explaining the use and marketing strategy. The restaurant will serve pizza, salad and similar foods and will be geared toward a family clientele. Specifically, marketing efforts will be targeted toward young families with children age 2 to 11. The restaurant will foster an atmosphere conducive to young families and their children. As shown on the floor plan, (Petitioner's Exhibit No. 5), the food service will be but part of the use of the leased area. In addition to food service area, there will be a significantly sized kiddie game and ride area to entertain the young patrons of the restaurant. Kiddie rides, skeeball and video games will be featured. Further, facilities for children's birthday parties will be available.

As was made abundantly clear at the hearing, the restaurant will be geared to a young family clientele, similar to the other Chuck E Cheese restaurants, Party-On Pizza franchises and similar restaurant/arcades which are prevalent throughout the County and State. The Petitioner envisions a seating capacity of approximately 262 and will employ approximately 60 full time and part time employees.

An arcade is defined in Section 101 of the B.C.Z.R. as "A building or part of a building in which five or more pinball machines, video games or other similar player operated amusement devices are maintained" (Bill No. 29, 1982). Further, an arcade is permitted in the subject B.L. zone, only by special exception, pursuant to Section 423.B of the B.C.Z.R. Although the proposed use falls within the definition of an arcade under the B.C.Z.R., clearly, the proposed use is not an arcade in the traditional

sense. The proposed use is not, in any manner, similar to a pool hall or adult entertainment center. Clearly, the marketing efforts of the proposed use would be away from an adult clientele, except those adults with small children. Further, teenagers will not find the use geared towards their interests.

As noted above, the proposed use (restaurant/arcade) is permitted in a B.L. zone by special exception. A special exception, by definition, is a use which has been determined by the legislature to be permissible, absent a showing that the proposed use at the proposed location would not have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within a given zoning classification. See Section 502.1 of the B.C.Z.R. and Schultz v. Pritts, 291 Md. 1, 432 A2d. 1319 (1981).

Further, Section 502.1 of the B.C.Z.R. requires that the Petitioner produce testimony and evidence showing that the proposed use meets the prescribed standards and requirements therein. In this respect, testimony was received from Mr. Smith, Ms. Richert and Mr. Cook. Their testimony, taken collectively, is that the proposed use will not be detrimental to the health, safety or general welfare of the locale. Further, based on Mr. Cook's studies and testimony, I am convinced that the proposed use will not create traffic congestion in the road network which surrounds the shopping center, and there will be sufficient parking on site to accommodate the proposed use. Mr. Cook's report, regarding these issues, speaks for itself (see Petitioner's Exhibit No.4). Therein, he opined that the proposed use would generate less traffic than might any retail use which is permissible at this location and that the surrounding traffic roadway network has suffi-

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Date 3/11/93  
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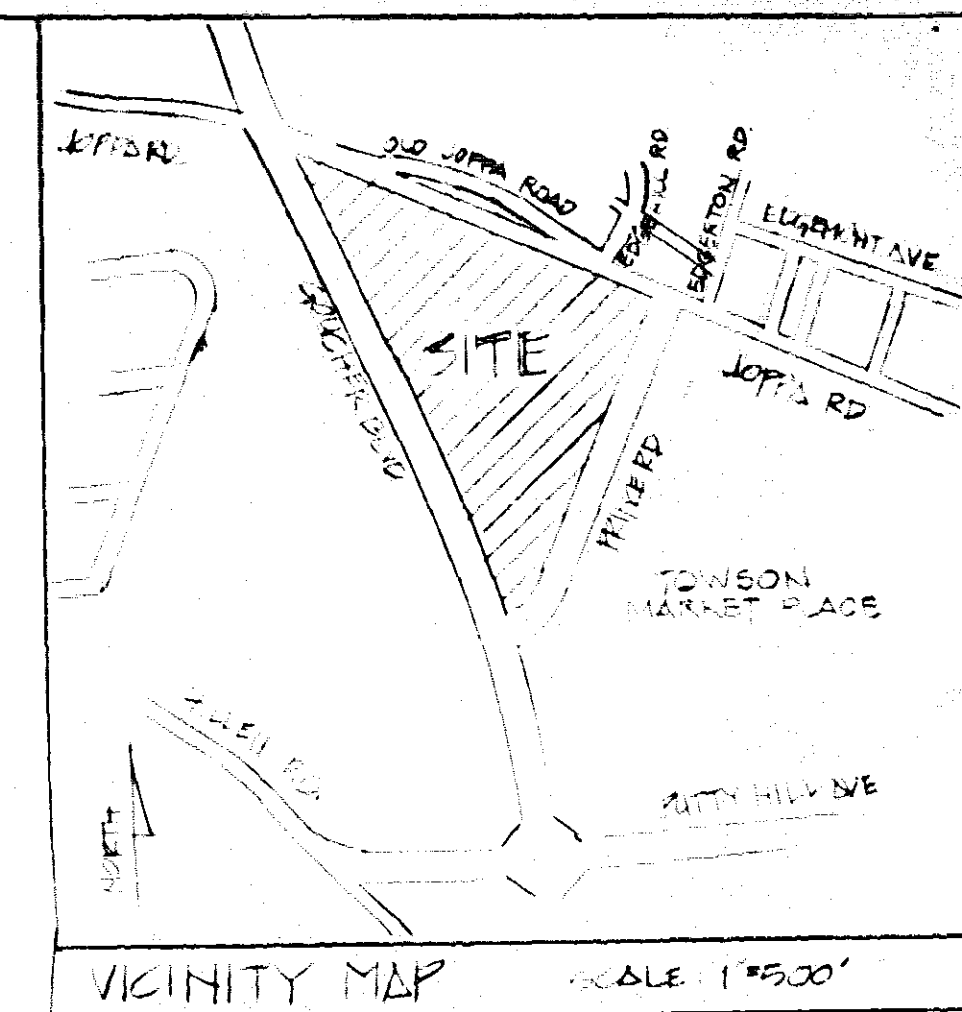
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[illegible]

EXISTING CURB & GUTTER  
EXISTING ZONING LINE  
EXISTING UNDERGROUND UTILITY  
EXISTING UTILITY POLE  
EXISTING TREE  
EXISTING PROPERTY LINE  
EXISTING LIGHT POLE  
EXISTING PARKING  
EXISTING SIGN  
EXISTING FIRE HYDRANT  
EXISTING BUILDING

REASON FOR VARIANCE REQUEST  
PETITIONER IS REQUESTING A VARIANCE TO SECTION 230.11 OF THE BCZR TO ALLOW A MAXIMUM OF 80 CO-OPERATED CHILDRENS RIDES INSTEAD OF THE ALLOWED G. A VARIANCE OF 14 RIDES

[illegible][illegible]

PETITIONER'S EXHIBIT N° 2

REASONS FOR SPECIAL HEARING

1. TO AMEND THE APPROVED SITE PLANS IN ZONING CASE B9-10GA AND B9-332 SPMA
2. TO GRANT VARIANCE ORDERS IN ZONING CASES B9-10GA AND B9-332 SPMA TO ALLOW A TOTAL PARKING VARIANCE OF 78 SPACES (61 SPACE VARIANCE CASE B9-10GA, 17 SPACE VARIANCE CASE B9-332 SPMA)

REASON FOR SPECIAL EXCEPTION  
TO ALLOW A TOTAL OF 39 COIN OPERATED AMUSEMENT  
MACHINES TO BE AN ACCESSORY USE TO A RESTAURANT

SITE DATA  
COUNCILMANIC DISTRICT : 4  
CENSUS TRACT : 4912.01  
DEMO REP: 4797-412  
ACCT. NO: 09-05-840090

PLAT TO ACCOMPANY PETITIONS  
FOR  
VARIANCE, SPECIAL EXCEPTION & SPECIAL HEARING  
IN THE VICINITY OF  
300 BLOCK GOUCHER BOULEVARD  
ELECTION DISTRICT 3 BALTIMORE COUNTY, MD  
SCALE: 1"=50' DATE: FEB. 8, 1993

**KCI** TECHNOLOGIES INC.  
ENGINEERS • PLANNERS • SURVEYORS  
1020 CROMWELL BRIDGE ROAD  
BALTIMORE, MARYLAND 21204 (410) 371-5500

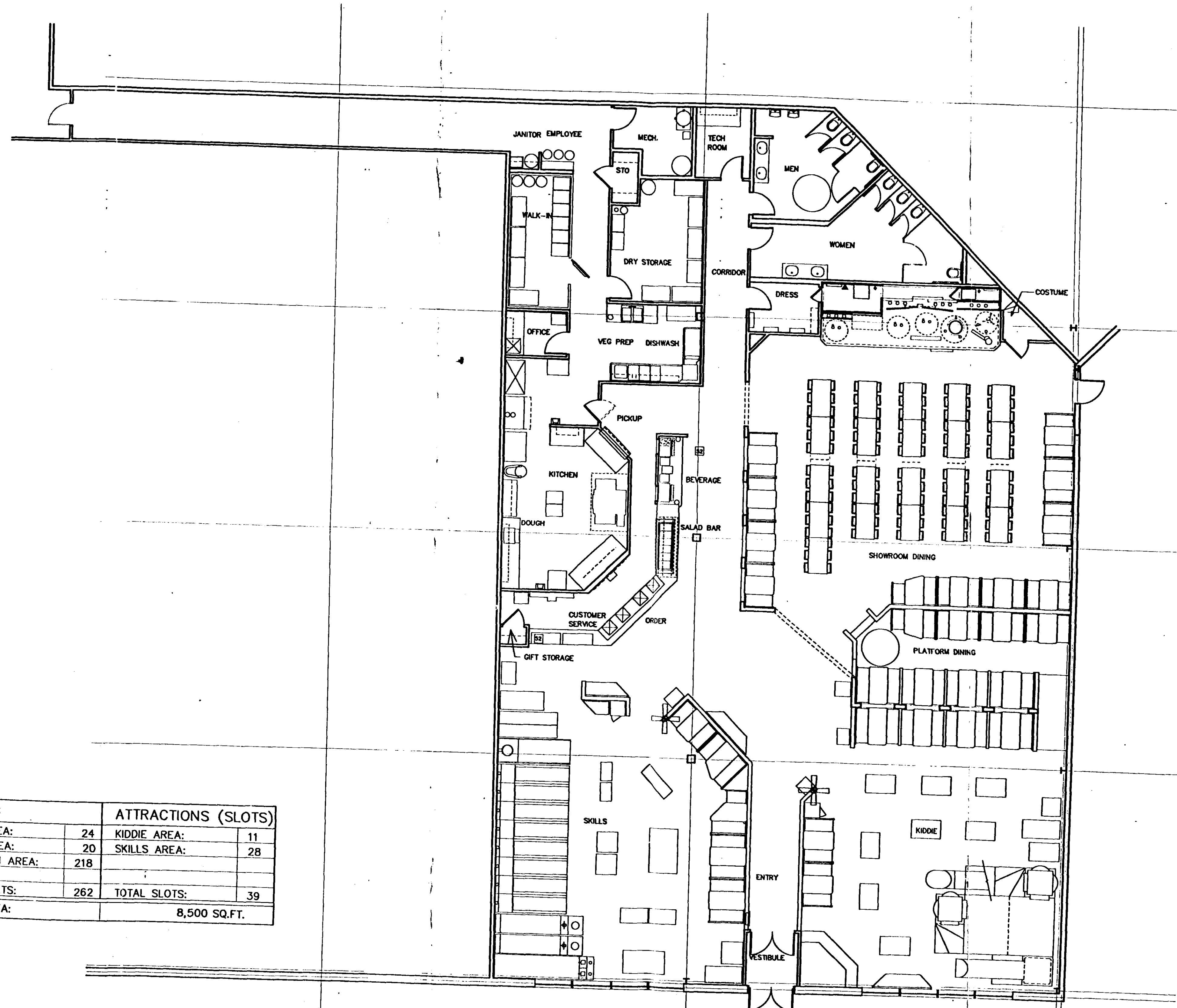
OWNER  
EUMWOOD HOLDING CORP  
% VOENADO, INC.  
174 PASSAIC STREET  
GARFIELD, NEW JERSEY, 07026

No	REVISION	DATE
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J.O 85156



SEATING		ATTRACTIONS (SLOTS)	
KIDDIE AREA:	24	KIDDIE AREA:	11
SKILLS AREA:	20	SKILLS AREA:	28
SHOWROOM AREA:	218		
TOTAL SEATS:	262	TOTAL SLOTS:	39
TOTAL AREA:	8,500 SQ.FT.		



PRELIMINARY KITCHEN GAMES AND SEATING LAYOUT  
SCALE: 1/8" = 1'-0"

RECEIVED  
DEC 15 1992  
**B&W**  
BURSON & WILLIAMS  
ARCHITECTS IN C.  
2010 State Street • Dallas, Texas 75201 • 512/771-5711



THESE DOCUMENTS ARE  
THE SOLE PROPERTY OF  
SHOWBIZ PIZZA TIME, INC.  
ANY COPYING OR USE OF  
THESE DOCUMENTS FOR  
ANY PURPOSE OTHER  
THAN CONSTRUCTION OF  
THIS PROJECT WITHOUT  
THE EXPRESS WRITTEN  
PERMISSION OF THE  
ARCHITECT AND SHOWBIZ  
PIZZA IS PROHIBITED.

CHUCK E. CHEESE'S PIZZA # --- -- TOWSON MD  
ADDRESS OF PROJECT  
SHOWBIZ PIZZA TIME INC.  
4441 WEST 10TH AVENUE  
IRVING, TEXAS 75062

PRELIMINARY KITCHEN GAMES AND SEATING PLAN

Date  
20 NOV 1992

Revisions

Project Number  
92-630

Sheet Number

**A9**

of 1

PETITIONER'S  
EXHIBIT No. 5

cient capacity to handle the anticipated traffic. These conclusions are overwhelmingly supported by the weight of the testimony presented.

Further, I find that the use will not be inconsistent with the purposes of the property's zoning classification nor, in any other way, be inconsistent with the spirit and intent of the B.C.Z.R. It is clear that the Petitioner has satisfied all of the requirements set forth in Section 502.1

The next area for consideration arises from the Petition for Variance. As noted above, the variance requested is from Section 230.11, to permit a maximum of 20 coin operated children's rides in lieu of the permitted 6. The testimony of Ms. Richert was dispositive on this issue. Clearly, the scheme of the proposed use is to offer patrons a wide variety of entertainment to accompany the food service available. Restricting the number of coin operated machines to that figure mandated by Section 230.11 of the B.C.Z.R. would inappropriately interfere with the scheme and purposes of the restaurant.

As is well settled, a variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

Further, denial of the variance would cause the Petitioner practical difficulty. The marketing scheme and intended use of the restaurant/-arcade constitute particular circumstances which justify the variance requested. Strict compliance with the regulation would unduly restrict the use of the property to the Petitioner. Further, the variance requested will not cause any injury to the public health, safety and general welfare and will be in strict harmony with the spirit and intent of the B.C.Z.R.

The final issue presented for consideration is the Petition for Special Hearing. For the reasons stated in the above discussion of the Petitions for Special Exception and Variance, an amendment to the site plan, previously approved in case No. 89-339-SPHA, must be granted. Approval of the proposed use as reflected on Petitioner's Exhibit No. 2 requires an amendment to the old plan. Approval of the Petitions for Special Exception and Variance mandate a new plan.

The Petition for Special Hearing also seeks a reaffirmation of the parking variance(s) previously granted. In this respect, testimony was that approximately 738 to 743 spaces exist on site. Mr. Smith's calculations were that 738 spaces are on the property, whereas, Mr. Cook, during his field inspection, counted 743 spaces. Apparently, this minor difference is due to the location of a dumpster and the parking lot configuration. Further, Section 409.6(2) of the B.C.Z.R. requires that for shop-

ping centers over 100,000 sq. ft., five spaces per 1,000 sq. ft. of gross leasable area must be provided. Applying that formula to the square footage available, 779 spaces would be required.

The Petitioner avers that a variance totalling 78 spaces may now be exercised based upon the prior cases. This argument is made based upon the 61 space variance granted in case No. 86-106-A plus the 17 space variance granted in case No. 89-339-SPHA. Frankly, I disagree that the variances granted in these cases may be added together as the Petitioner suggests so as to result in a 78 space variance. Clearly, the older case provided a 67 space variance. However, the relief granted in the first case was eliminated/replaced when the Order in case No. 89-339-SPHA was issued. Thus, presently the owner of the shopping center may utilize a 17 space variance. In my view, it would have been more proper for the Petitioner to re-petition for a zoning variance in this case, seeking relief from Section 409.62 of the B.C.Z.R. to allow 738 spaces in lieu of the required 779 spaces. However, no matter what the approach, it is clear that there exists sufficient parking on the subject location to accommodate the existing uses and the proposed restaurant/arcade. I shall, by this Order, grant a variance for such relief, thereby permitting the proposed restaurant/arcade use at the subject locale. In my view, the Petitioner's approach under a special hearing is impermissible. However, the end result sought should and will be granted. The overwhelming and uncontradicted testimony of Mr. Cook and Mr. Smith in this respect is that more than sufficient parking exists to support the present and proposed uses. Mr. Cook's conclusion, in this respect, is buttressed by his report which included a comprehensive study of the existing center and a similar Chuck E Cheese's Restaurant in the Westview section of Baltimore County.

Further, in order to legitimize existing conditions, I will grant the Petition for Special Hearing to allow existing parking spaces with direct access to driveways to remain, in lieu of the required spaces with no direct access, pursuant to Section 409.4. As Mr. Smith pointed out, this is an older shopping center, which was constructed approximately 30 years ago. In that there will not be any additional building or major renovation, a variance to the standards requiring direct access aisles should be granted.

Notwithstanding my decision to grant the relief requested, several additional comments are in order. First, attention should be given to the Zoning Plans Advisory Committee comments offered. The Bureau of Traffic Engineering requests that parking calculations for the proposed restaurant/arcade be shown. Clearly, these are unnecessary in that the subject center is greater than 100,000 sq. ft. and, per Section 409.6 of the B.C.Z.R., parking calculations are to be made irrespective of the uses within the center. A second comment from the Bureau of Traffic Engineering requests that additional signage should be posted to improve internal circulation. Testimony from Messrs. Cook and Smith was that the surface of the macadam parking lot features such directional information in lieu of signs. As the purposes of the Bureau of Traffic Engineering's concerns have been satisfied, I will not require additional signage.

There were also comments offered by the Office of Planning and Zoning. Two of the comments offered requested sign detail and architectural elevation drawings. Ms. Richert, on behalf of the lessee, testified that exact plans for the exterior/interior appearance of the restaurant were not finalized at this time. I will require the Petitioner to ultimately submit the elevation drawings prior to the issuance of any permits. The Petition-

er indicated that there was no objection to this requirement and that the exterior facade of the restaurant would be compatible with the existing shopping center facade and compatible with the surrounding locale. As to signage, it must be within the limits established by the B.C.Z.R. unless a sign variance is requested. There is no such sign variance before me. The Petitioner may erect such signage as it desires so long as same complies with the relevant sections of the B.C.Z.R.

Another comment offered by the Office of Planning and Zoning was a request that additional landscaping be required. I will not require the Petitioner to comply with this request. The Petitioner is the lessee of but a small portion of the shopping center and not the owner of the subject property. To require the lessee to meet an owner's burden of landscaping this entire property is inequitable and improper. That suggested restriction will not be included as part of my Order for those reasons.

Lastly, the Office of Planning and Zoning requests a limitation on the special exception for an arcade to be granted herein to the subject Petitioner only. For reasons which will be explained hereinafter, I will incorporate that restriction.

As noted above, two community representatives appeared at the public hearing. Further, a letter from the umbrella community association known as Towson-Loch Raven Community Council, Inc. was received. The community representatives in that organization are generally supportive of the project but prefer that certain restrictions be imposed to insure compatibility with the surrounding residential communities. In order to foster these goals, I shall require the following restrictions:

1. The subject use shall be personal to that corporation and business entity now known as Showbiz Pizza Time, Inc. Transfer of the authori-

ty granted under the special exception to another entity will be permitted only after notice of such proposed transfer to the Zoning Commissioner, with a copy of said notice to the Towson Estates Community Association and the Towson-Loch Raven Community Council, Inc. Thereafter, at the discretion of the Zoning Commissioner, a public hearing, regarding the permissibility of the transfer of the rights granted hereunder, may be required. It is the intent of this restriction that the special exception granted for an arcade will be applicable only to use of the site geared towards children, ages 2 through 11, and their families. That is, in the event a subsequent lessee, or the current Petitioner, decides to re-target its clientele, this special exception will be forfeited. My Order will limit the proposed arcade use to that described hereinabove. An arcade targeted toward an adult or teenage clientele will not be permitted under the special exception granted herein.

2. The hours of operation will be restricted from 8:00 A.M. to 11:00 P.M., seven days a week. The lessee's representative indicated that these were the maximum possible hours of operation and they appear consistent with similar restaurants and other uses in the shopping center.

3. As indicated above, signage will be in accordance with the B.C.Z.R. unless a sign variance is requested. Such request would necessitate another public hearing with opportunity for comment by the surrounding communities and appropriate Baltimore County agencies.

4. There will be no outside loud speakers installed/used by the proposed restaurant/arcade use.

5. Except as expressly modified herein, the prior restrictions contained in the Orders in zoning case Nos. 86-106-A and 89-339-SPHA shall continue and be in full force and effect.

6. The Petitioner shall be required to submit elevation drawings showing all exterior renovations and improvements for review and approval by the Office of Planning and Zoning. That agency shall consider compatibility and building materials in reviewing the plans.

7. It is to be further noted that I shall not rule on whether alcohol may be served at the subject property; leaving this issue to the discretion of the Baltimore County Liquor Board, and/or other appropriate Baltimore County and State agencies.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

IT IS THEREFORE ORDERED by the Zoning Commissioner for Baltimore County, this 11<sup>th</sup> day of February, 1993 that the Petition for Special Exception to approve the use of a portion of the property for an arcade as described in Section 423.B of the Baltimore County Zoning Regulations B.C.Z.R., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance from Section 230.11 of the B.C.Z.R. to permit a maximum of 20 coin operated children's rides, in lieu of the permitted maximum of 6 coin operated children's rides, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a Petition for Special Hearing to amend the previously approved site plan in a prior zoning case 89-339-SPHA, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing to reaffirm the parking variances previously granted in zoning case Nos. 86-106-A and 89-339-SPHA, be and is hereby DENIED, however, in lieu thereof, an

amended Petition for Variance shall be accepted and approved permitting 738 parking spaces in lieu of the required 779; and,

IT IS FURTHER ORDERED that a variance from Section 409.4 of the B.C.Z.R. to allow existing parking spaces with direct access to driveways to remain, in lieu of the required spaces with no direct access, all in accordance with Petitioner's Exhibit No. 2, be and is hereby GRANTED, subject, however to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The subject use shall be personal to that corporation and business entity now known as Showbiz Pizza Time, Inc. Transfer of the authority granted under the special exception to another entity will be permitted only after notice of such proposed transfer to the Zoning Commissioner with a copy of said notice to the Towson Estates Community Association and the Towson-Loch Raven Community Council, Inc. Thereafter, at the discretion of the Zoning Commissioner, a public hearing, regarding the permissibility of the transfer of the rights granted hereunder, may be required. It is the intent of this restriction that the special exception granted for an arcade will be applicable only to use of the site geared towards children, ages 2 through 11, and their families. That is, in the event a subsequent lessee, or the current Petitioner, decides to re-target its clientele, this special exception will be forfeited. This Order will limit the proposed arcade use to that described hereinabove. An arcade targeted toward an adult or teenage clientele will not be permitted under the special exception granted herein.

3. The hours of operation will be restricted from 8:00 A.M. to 11:00 P.M., seven days a week. The lessee's representative indicated that these



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Date 1/13/93  
By Dr. Schmidt

were the maximum possible hours of operation and they appear consistent with similar restaurants and other uses in the shopping center.

4. Signage will be in accordance with the B.C.Z.R. unless a sign variance is requested. Such request would necessitate another public hearing with opportunity for comment by the surrounding communities and appropriate Baltimore County agencies.

5. There will be no outside loud speakers installed/used by the proposed restaurant/arcade use.

6. Except as expressly modified herein, the prior restrictions contained in the Orders in zoning case Nos. 86-106-A and 89-339-SPHA shall continue and be in full force and effect.

7. The Petitioner shall be required to submit elevation drawings showing all exterior renovations and improvements for review and approval by the Office of Planning and Zoning. That agency shall consider compatibility and building materials in reviewing the plans.

Lawrence E. Schmidt  
LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

LES:mmn

-14-

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

February 10, 1993

Melinda B. Antalek  
Attorney at Law  
Hazel & Thomas, P.A.  
Suite 2100, 120 E. Baltimore Street  
Baltimore, Maryland 21202

RE: Petitions for Special Hearing, Special Exception and Variance  
Legal Owner: Eudowood Holding Corp.  
Contract Purchaser: Showbiz Pizza Time, Inc., Petitioner  
Case No. 93-207-SPHXA

Dear Ms. Antalek:

Enclosed please find a copy of the decision rendered in the above captioned matter. The Petitions for Special Hearing, Special Exception and Variance have been granted, with restrictions.

In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmn

encl.  
cc: Ms. Lola Richert, Showbiz Pizza Time, Inc.  
cc: Mr. Richard L. Smith, K.C.I. Technologies, Inc.  
cc: Ms. Martha H. Clarke, Towson Estates Association  
cc: Mr. Wayne Skinner, President, Towson-Loch Raven Community Council



## Petition for Special Hearing to the Zoning Commissioner of Baltimore County

for the property located at JOPPA ROAD AND GOUCHER BOULEVARD  
which is presently zoned BL-CCC

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve an amendment to the site plan approved by prior Zoning Order in Case 89-339-SPHA to allow a new plan to be approved showing a restaurant with an arcade in a portion of the retail space on the site and re-affirming the parking variances totalling 61 parking spaces previously granted by the Zoning Order in Case 86-106-A and 17 parking spaces previously granted by the Zoning Order in Case No. 89-339-SPHA, and to allow existing parking spaces with direct access to driveways to remain in lieu of required spaces with no direct access (per Section 409.4).

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s)

SHOWBIZ PIZZA TIME, INC.  
(Type or Print Name)

By: Alice Winters  
Signature

Richard Rowan, Vice President  
(Type or Print Name)

4441 W. Airport Freeway  
Address

Irving, Texas 75062  
City State Zipcode

Signature

Attorney for Petitioner

Melinda B. Antalek, Esquire  
(Type or Print Name)

Signature Melinda B. Antalek

c/o Hazel & Thomas, P.C.  
120 E. Baltimore Street (410) 783-3546  
Address Suite 2100 Phone No.

Baltimore, MD 21202 410/783-3546  
City State Zipcode

ESTIMATED LENGTH OF HEARING

Unavailable for Hearing

ALL ☒ YES ☐ NO

REVIEWED BY: LG DATE: 12/22/92



## Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at JOPPA ROAD & GOUCHER BLVD.  
which is presently zoned BLCCC

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for  
An arcade as described in section 423.B of the BCZR

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s)

SHOWBIZ PIZZA TIME, INC.  
(Type or Print Name)

By: Alice Winters  
Signature

Alice Winters  
Vice President/Asst. Sec.  
(Type or Print Name)

4441 W. Airport Freeway  
Address

Irving, Texas 75062  
City State Zipcode

Signature

Attorney for Petitioner

Melinda B. Antalek  
(Type or Print Name)

Signature Melinda B. Antalek

c/o Hazel & Thomas  
Suite 2100 120 East Baltimore St.  
Address Baltimore, MD 21202 410/783-3546  
City State Zipcode

ESTIMATED LENGTH OF HEARING

Unavailable for Hearing

ALL ☒ YES ☐ NO

REVIEWED BY: LG DATE: 12/22/92

215



## Petition for Variance to the Zoning Commissioner of Baltimore County

for the property located at JOPPA RD. AND GOUCHER BLVD  
which is presently zoned BLCCC

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 500.11 to permit a maximum of 20 coin operated childrens rides in lieu of the permitted maximum of 6 coin operated childrens rides.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) Strict compliance with the requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome; the grant would do substantial justice to the applicant as well as other property owners in the district and no lesser relaxation than that applied for would give substantial relief; and that relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee

SHOWBIZ PIZZA TIME, INC.  
(Type or Print Name)

By: Alice Winters  
Signature

Alice Winters  
Vice President/Asst. Sec.  
(Type or Print Name)

4441 W. Airport Freeway  
Address

Irving, Texas 75062  
City State Zipcode

Signature

Attorney for Petitioner

Melinda B. Antalek  
(Type or Print Name)

Signature Melinda B. Antalek

c/o Hazel & Thomas  
Suite 2100 120 East Baltimore St.  
Address Baltimore, MD 21202 410/783-3546  
City State Zipcode

ESTIMATED LENGTH OF HEARING

Unavailable for Hearing

ALL ☒ YES ☐ NO

REVIEWED BY: LG DATE: 12/22/92



DESCRIPTION OF  
0.2132 ACRE RESTAURANT PARCEL, SOUTH SIDE JOPPA ROAD  
WEST SIDE OF PRINCE ROAD  
9TH ELECTION DISTRICT  
BALTIMORE COUNTY, MARYLAND

This Description is for a Special Exception

COMMENCING FOR THE SAME on the south side of Joppa Road at the northwest end of the gusset line connecting the said south side of Joppa Road with the west side of Prince Road, seventy feet wide, running thence binding on said gusset line:

(1) South 20 degrees 38 minutes 48 seconds East 28.63 feet, thence binding on the westerly side of Prince Road, (2) South 23 degrees 38 minutes 33 seconds West 335.00 feet thence leaving Prince Road (3) North 70 degrees 36 minutes 27 seconds West 214.00 feet to the point of beginning, thence

(1) North 70 degrees 36 minutes 27 seconds West 78.00 feet, thence (2) North 19 degrees 23 minutes 33 seconds East 113.27 feet thence (3) North 70 degrees 36 minutes 27 seconds West 59.20 feet thence (4) North 19 degrees 23 minutes 33 seconds East 7.50 feet thence (5) South 70 degrees 36 minutes 27 seconds East 103.26 feet thence (6) South 25 degrees 36 minutes 27 seconds East 48.00 feet thence (7) South 19 degrees 23 minutes 33 seconds West 86.83 feet to the point of beginning.

CONTAINING 0.2132 acres of land more or less.

AP/dgj KCI Job Order No. 01-85156F December 11, 1992

Work Order No. 76038



DESCRIPTION 93-207-SPHXA

14.6550 ACRE PARCEL, SOUTH SIDE JOPPA ROAD,  
WEST SIDE OF PRINCE ROAD,  
9TH ELECTION DISTRICT,  
BALTIMORE COUNTY, MARYLAND

This Description is for a Special Hearing to Amend an Approved Site Plan

Beginning for the same on the south side of Joppa Road at the northwest end of the gusset line connecting the said south side of Joppa Road with the west side of Prince Road, seventy feet wide, running thence binding on said gusset line:

(1) South 20 degrees 38 minutes 48 seconds East 28.63 feet, thence binding on the westerly side of Prince Road, three courses: (2) South 23 degrees 38 minutes 33 seconds West 660.42 feet, (3) southwesterly by a curve to the right with a radius of 270.67 feet, the arc distance of 222.61 feet, and (4) South 70 degrees 45 minutes 57 seconds West 40.86 feet to the east end of gusset line connecting said Prince Road with Goucher Boulevard, hence binding on said gusset line (5) North 65 degrees 08 minutes 49 seconds West 79.00 feet, thence binding on the northeast side of said Goucher Boulevard, ten courses: (6) northwesterly by a curve to the left with a radius of 1965.00 feet, the arc distance of 184.05 feet, (7) northwesterly by a curve to the right with a radius of 89.00 feet, the arc distance of 29.48 feet, (8) northwesterly by a curve to the left with a radius of 111.00 feet, the arc distance of 40.63 feet, (9) northwesterly by a curve to the left a radius of 1977.00 feet, the arc distance of



DESCRIPTION 93-207-SPHXA

242.97 feet, (10) North 36 degrees 15 minutes 50 seconds West 218.44 feet, (11) northwesterly by a curve to the right with a radius of 1843.00 feet, the arc distance of 94.35 feet, (12) North 33 degrees 19 minutes 50 seconds West 187.19 feet, (13) northwesterly by a curve to the right with a radius of 389.00 feet, the arc distance of 49.81 feet, (14) northwesterly by a curve to the right with a radius of 1855.00 feet, the arc distance of 104.88 feet, (15) North 22 degrees 45 minutes 18 seconds West 14.79 feet, and (16) North 27 degrees 17 minutes 0 seconds East 129.96 feet to a point on the south side of said Joppa Road and thence binding thereon ten courses: (17) South 72 degrees 21 minutes 30 seconds East 25.00 feet, (18) southeasterly, by a curve to the right with a radius of 89.00 feet, the arc distance of 30.99 feet, (19) southeasterly by a curve to the left with a radius of 111.00 feet, the arc distance of 38.65 feet, (20) South 72 degrees 21 minutes 30 seconds East 415.60 feet, (21) southeasterly by a curve to the left with a radius of 861.00 feet, the arc distance of 51.34 feet, (22) South 75 degrees 46 minutes 30 seconds East 150.65 feet, (23) southeasterly by a curve to the right with a radius of 839.00 feet, the arc distance of 50.03 feet, (24) South 72 degrees 21 minutes 30 seconds East 134.37 feet, (25) southeasterly by a curve to the right with a radius of 903.64 feet, the arc distance of 117.07 feet, and (26) South 64 degrees 56 minutes 8 seconds East 101.20 feet to the place of beginning.

Containing 14.6550 acres of land, more or less.

J.O. 1-850156-F December 11, 1992

W.O. 76038C

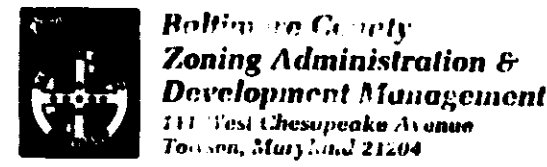
215

215

215

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 9th Date of Posting: 1/14/93  
Posted for: Special Exception, Variance, & Special Hearing  
Petitioner: Eudowood Holding Corporation, et al  
Location of property: 111 West Chesapeake Avenue, Towson, MD 21204  
Location of Sign: Post at intersection of Lehigh Rd. & Prince Rd.  
Remarks: None  
Posted by: Melinda B. Antalek Date of return: 1/20/93  
Number of Signs: 3



**receipt**

Date: \_\_\_\_\_ Number: \_\_\_\_\_  
Account: R-001-6150  
Please Make Checks Payable To: Baltimore County  
\$550.00

Cashier Validation

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

DATE: 1/26/93

Showbiz Pizza Time, Inc.  
4441 W. Airport Freeway  
Irving, Texas 75062

RE:  
CASE NUMBER: 93-207-SPHXA (Item 215)  
S/S Goucher Boulevard, SEC Joppe Road  
9th Election District - 4th Councilmanic  
Legal Owner(s): Eudowood Holding Corporation  
Contract Purchaser(s): Showbiz Pizza Time, Inc.  
HEARING: TUESDAY, FEBRUARY 2, 1993 at 2:30 p.m. in Rm. 118, Old Courthouse.

Dear Petitioner(s):

Please be advised that \$ 136.13 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your Order, immediate attention to this matter is suggested.

*Arnold Jablon*  
ARNOLD JABLON  
DIRECTOR

cc: Melinda B. Antalek, Esq.

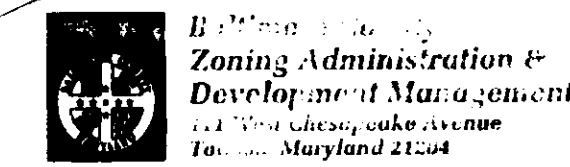
Printed on Recycled Paper

**CERTIFICATE OF PUBLICATION**

TOWSON, MD. 1/15, 1993  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1/14, 1993

THE JEFFERSONIAN,

*S. Zeke Orlov*  
Publisher



**receipt**

Date: \_\_\_\_\_ Number: \_\_\_\_\_  
Account: R-001-6150  
Please Make Checks Payable To: Baltimore County  
\$136.13

Cashier Validation

*Arnold Jablon*  
ARNOLD JABLON  
DIRECTOR

cc: Melinda B. Antalek, Esq.

Printed on Recycled Paper

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

JAN 11 1993

(410) 887-3353

**NOTICE OF HEARING**

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-207-SPHXA (Item 215)  
S/S Goucher Boulevard, SEC Joppe Road  
9th Election District - 4th Councilmanic  
Legal Owner(s): Eudowood Holding Corporation  
Contract Purchaser(s): Showbiz Pizza Time, Inc.  
HEARING: TUESDAY, FEBRUARY 2, 1993 at 2:30 p.m. in Rm. 118, Old Courthouse.

Special Exception for an arcade.  
Special Hearing to approve an amendment to the site plan approved by prior Zoning Order in Case 889-339-SPHXA to allow a new plan to be approved showing a restaurant with an arcade in a portion of the retail space on the site and reaffirming the parking variances totalling 61 parking spaces previously granted by the Zoning Order in Case 886-106-4 and 17 parking spaces previously granted by Zoning Order in Case 889-339-SPHXA and to allow existing parking spaces with direct access to driveways to remain in lieu of the required spaces with no direct access.  
Variance to permit a maximum of 20 coin operated children's rides in lieu of the permitted maximum of 6 coin operated children's rides.

*Arnold Jablon*  
ARNOLD JABLON  
DIRECTOR

cc: Eudowood Holding Corporation  
Showbiz Pizza Time, Inc.  
Melinda B. Antalek, Esq.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Printed on Recycled Paper

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

January 19, 1993

(410) 887-3353

Melinda B. Antalek, Esquire  
c/o Hazel & Thomas  
120 East Baltimore Street, STE 2100  
Baltimore, MD 21202

RE: Case No. 93-207-SPHXA, Item No. 215  
Petitioner: Eudowood Holding Corporation, et al  
Petition for Special Hearing, Special Exception & Variance

Dear Ms. Antalek:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 22nd day of December 1992.

*Arnold Jablon*  
ARNOLD JABLON  
DIRECTOR

Received By:  
*W. Carl Richards Jr.*  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Eudowood Holding Corporation, et al  
Petitioner's Attorney: Melinda B. Antalek

Printed on Recycled Paper

DPW/Developers Engineering Division (Public Services)  
Development Review Committee Response Form  
Authorized signature: *Dan R. Kennedy* Date: 1/11/93

File Number	Waiver Number	Zoning Issue	Meeting Date
✓ J.F.O. Holding Corporation			
DED DEPRM RP STP TE	213		1-04-93 NC
✓ Marshall and Mildred Whipperman			
DED DEPRM RP STP TE	214		NC
✓ Eudowood Holding Corporation			
DED DEPRM RP STP TE	215		NC
✓ Joseph K. And Alva A. Pokorny			
DED DEPRM RP STP TE	216		NC
✓ Pikesville Partnership			
DED DEPRM RP STP TE	217		NC

COUNT 5  
Wyaness Associates Limited Partnership  
DED RP STP 208 12-28-92 Comment  
✓ Pickersgill, Inc.  
DED DEPRM RP STP TE 212 NC

COUNT 2  
Stonegate at Patapsco (Aerial Property)  
90476 ZON DED TE (Waiting for developer to submit plans first) 6-1-92

COUNT 1  
FINAL TOTALS  
COUNT 8  
\*\*\* END OF REPORT \*\*\*

**BALTIMORE COUNTY, MARYLAND**  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration & Development Management

DATE: January 11, 1993

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Showbiz Pizza Time

INFORMATION:  
Item Number: 215

Petitioner: Eudowood Holding Corporation

Property Size: 17.02 acres

Zoning: BL-CCC

Requested Action: Special Exception, Variance, Special Hearing

Hearing Date: 1/1

SUMMARY OF RECOMMENDATIONS:  
This petitioner is requesting a Special Exception for an arcade. A variance to permit a maximum of 20 coin operated children's rides in lieu of 6. A Special Hearing to approve an amendment to the site plan in case 89-339-SPHXA.

The Office of Planning and Zoning recommends APPROVAL of the petitioner's request subject to the following conditions.

- All sign detail should be provided for both free standing and wall mounted signs.
- The proposed restaurant should be compatible with the existing shopping center. The petitioner should provide architectural elevation drawings showing what the building will look like and building materials to be used.
- Although the site is landscaped, our office feels that the landscaping is inadequate, therefore, additional landscaping should be provided along the Goucher Boulevard frontage and along the Prince Road frontage.

ADDENDUM: Additional recommended restrictions

- The Petitioner offers that the coin operated video games and rides are geared toward children between the ages of 3 to 12. This office recommends that the arcade use be restricted to serve primarily that same segment of the population specifically targeted by the applicant.

215.ZAC/ZAC1



5. Approval of the requests should pertain to the proposed Showbiz Pizza Time use and no other future utilization of the property.

Prepared by: Jeffrey W. Long  
Division Chief: Carol L. Lewis  
PK/FM:rdn  
cc: Zoning Commissioner

215.ZAC/ZAC1

**Maryland Department of Transportation  
State Highway Administration**

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

1-4-93

Ms. Julie Winiarski  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No.: +215 (LJG)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small  
for John Contestabile, Chief  
Engineering Access Permits  
Division

My telephone number is 410-333-1350

Teletypewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5042 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717

**BUREAU OF TRAFFIC ENGINEERING  
DEPARTMENT OF PUBLIC WORKS  
BALTIMORE COUNTY, MARYLAND**

DATE: January 7, 1993

TO: Mr. Arnold Jablon, Director  
Office of Zoning Administration  
and Development Management  
FROM: Rahee J. Famili  
SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: January 4, 1993

ITEM NUMBER: 215

1. Parking calculations for the proposed combination restaurant/arcade must be shown.
2. Several "STOP" and "YIELD" signs are necessary to define internal traffic patterns.

Rahee J. Famili  
Traffic Engineer II

RJR/lvd

RECEIVED

Development Review Committee  
Authorized signature: Arnold Jablon  
Date: 1/11/93

Project Name	Waiver Number	Zoning Issue	Meeting Date
J.F.O. Holding Corporation			
DED DEPRM RP STP 1E	215		1-14-93
Marshall and Mildred Whipperman			In process
DED DEPRM RP STP 1E	214		In process
Eudwood Holding Corporation			
DED DEPRM RP STP 1E	215		NO COMMENTS
Joseph E. and Alva A. Pokorny			
DED DEPRM RP STP 1E	216		In process
Pikesville Partnership			
DED DEPRM RP STP 1E	217		NO COMMENTS
COUNT 5			
Lewis Brooks Ramsey			
DEPRM RP	128		12-19-92
			NO COMMENTS
COUNT 1			
Robert E. Ryan and Marianne H. Gillette			12-21-92
DEPRM RP	179		NO COMMENTS
Baker Land Company			
DEPRM RP	269		WRITTEN COMMENTS
Kenneth E. and Carol C. Lentz			
DEPRM RP	201		WRITTEN COMMENTS
COUNT 3			
Charles A. Waqandt			
DEPRM RP STP	203		12-28-92
			In process

**Baltimore County Government  
Fire Department**

JANUARY 12, 1993

(410) 887-4500

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: EUDWOOD HOLDING CORPORATION

Location: E/S GOUCHER BOULEVARD, SEC JOPFA ROAD

Item No.: +215 (LJG) Zoning Agenda: JANUARY 4, 1993

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: Carl J. J. J. Noted and Approved jb  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JF/REK

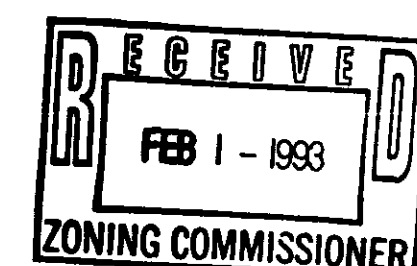
Rec'd 1/13/93

**BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE**

TO: Lawrence E. Schmidt  
Zoning Commissioner  
DATE: February 1, 1993  
FROM: Jeffrey Long  
Office of Planning & Zoning  
SUBJECT: SHOW BIZ PIZZA

Please be advised that in reference to the subject case, staff has discussed our office's recommended restrictions with the Petitioner's attorney, Mindy Antalek. As a result, we accept the changes to the restrictions as offered by Ms. Antalek. The attached letter from the Petitioner's attorney outlines the amendments as agreed to by planning staff.

JL:lw  
JLSHOWB.IZ/TXTLLF



FEB 01 '93 10:43AM SENT BY HAZEL & THOMAS TO BALT

**HAZEL & THOMAS  
A PROFESSIONAL CORPORATION**

ALEXANDRIA OFFICE	MARYLAND OFFICE	MANASSAS OFFICE
610 KING STREET, SUITE 200 P.O. BOX 850 ALEXANDRIA, VIRGINIA 22313 (703) 836-8400	120 EAST BALTIMORE STREET BALTIMORE, MARYLAND 21202 (410) 783-3500 FAX (410) 783-3510	THE OLD PIEDMONT BUILDING THIRD FLOOR 3284 WEST STREET MANASSAS, VIRGINIA 22110 (703) 335-7400
FAIRFAX OFFICE	RICHMOND OFFICE	WINCHESTER OFFICE
2110 FAIRVIEW PARK DRIVE, SUITE 1400 P.O. BOX 18001 FALLS CHURCH, VIRGINIA 22042 (703) 841-4300	411 EAST FRANKLIN STREET, SUITE 400 P.O. BOX 748 RICHMOND, VIRGINIA 23208 (804) 346-3400	107 NORTH KENT STREET, FOURTH FLOOR P.O. BOX 8740 WINCHESTER, VIRGINIA 22604 (703) 965-0000
LEESBURG OFFICE	WASHINGTON OFFICE	
SUITE 300 44084 RIVERSIDE PARKWAY LEESBURG, VIRGINIA 22078 (703) 729-8500	SUITE 400 200 PENNSYLVANIA AVENUE, N.W. WASHINGTON, D.C. 20006 (202) 698-7000	

**FAX COVER SHEET**

TO: Jeff Long  
TELEPHONE NO. \_\_\_\_\_  
CLIENT NO. 14521-004 DATE: 2/1/93  
FAX NO. 887-5862  
FROM: MELINDA B. ANTALOK

NUMBER OF PAGES, INCLUDING COVER SHEET: 4

NOTE: IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL FLORA AT (301) 783-3563

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The information contained in this facsimile message is information intended only for the use of the individual or entity named above, and may be attorney/client privileged and confidential. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via the U.S. Postal Service. Thank you...Hazel & Thomas

FEB 01 '93 10:43AM SENT BY HAZEL & THOMAS TO BALT

**BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director  
Zoning Administration &  
Development Management  
DATE: January 11, 1993

FROM: Pat Kellar, Deputy Director  
Office of Planning and Zoning  
SUBJECT: Showbiz Pizza Time

Information:  
Item Number: 215  
Petitioner: Eudwood Holding Corporation  
Property Size: 17.01 acres  
Zoning: PC-COD  
Requested Action: Special Exception, Variance, Special Hearing  
Hearing Date: 1/1

SUMMARY OF RECOMMENDATIONS:  
This petitioner is requesting a Special Exception for an arcade. A variance to permit a maximum of 20 coin operated children's rides in lieu of 6. A Special Hearing to approve an amendment to the site plan in case 88-335-SPR.

The Office of Planning and Zoning recommends APPROVAL of the petitioner's request subject to the following conditions.

1. All sign detail should be provided for both free standing and wall mounted signs prior to the issuance of the building permit.
2. The proposed restaurant should be compatible with the existing shopping center. The petitioner should provide architectural elevation drawings showing what the building will look like and building materials to be used prior to the issuance of the building permit.
3. Although the site is landscaped, our office feels that the landscaping is inadequate, therefore, additional landscaping should be provided along the Goucher Boulevard frontage and along the Prince Road frontage.

ADDITIONAL recommended restrictions:  
The Petitioner offers that the coin operated video games and rides are geared toward children between the ages of 3 to 12. This office recommends that the arcade use be restricted to serve primarily that same segment of the population specifically targeted by the applicant.

215.ZAC/ZAC1

by Petitioner or any other related entity  
 5. Approval of the requests shall pertain to the proposed Showbiz Pizza  
 Time use, and no other future utilization of the property.

Prepared by: Jeffrey M. Long

Division Chief:

PL/Wiridn

cc: Zoning Commissioner

215.2AC/2AC1

LAW OFFICES  
**Hazel & Thomas**  
 A PROFESSIONAL CORPORATION

ALEXANDRIA OFFICE  
 810 KING STREET, SUITE 200  
 P.O. BOX 850  
 ALEXANDRIA, VIRGINIA 22301  
 (703) 838-8400

FAIRFAX OFFICE  
 3110 FAIRVIEW PARK DRIVE, SUITE 1400  
 FALLS CHURCH, VIRGINIA 22042  
 (703) 841-4200

LEESBURG OFFICE  
 SUITE 200  
 4408A RIVERSIDE PARKWAY  
 LEESBURG, VIRGINIA 22075  
 (703) 728-8800

VIA TELECOPY (887-5862)

Mr. Jeff Long  
 Baltimore County  
 Office of Planning and Zoning  
 Baltimore, Maryland 21204

RE: ShowBiz Pizza Time, Inc.  
 Item 215/Case No. 93-207-SPHXA

Dear Jeff:

In accordance with your request, attached is a copy of the  
 comment letter from Pat Keller, Deputy Director Office of  
 Planning and Zoning to Arnold Jablon, Director Zoning  
 Administration and Development Management with respect to the  
 above-reference Petitioner.

I have hand-written onto the comment letter the revisions  
 you and I discussed last week. The revisions to paragraphs 1 and  
 2 simply clarify that the information to be provided by  
 Petitioner will not be available at the Hearing on February 3,  
 1993, but will be provided prior to the issuance of the building  
 permit. The revisions to paragraphs 4 and 5 are minor changes  
 designed to reflect ShowBiz's concern that the restrictions  
 requested by the Office of Planning and Zoning should be  
 clarified to reflect ShowBiz's actual operations.

Finally, with respect to paragraph 3 of the comment letter,  
 we expressed concern about our ability to influence the landowner  
 to provide additional landscaping. As you know, ShowBiz is  
 leasing only the 9,288 square feet of space consisting of the  
 restaurant site and will have no control over any other portions  
 of the shopping center site. In addition, ShowBiz is subleasing  
 its premises from Toys R Us, the operator of Kids R Us (which  
 also does not exercise any control over portions of the property  
 which could be landscaped) and is not negotiating or in  
 discussions with the actual landowner, Rudwood Holding  
 Corporation.

While ShowBiz has expressed its willingness to meet with the  
 staff of the Office of Planning and Zoning after the Hearing to

TOWSON ESTATES ASSOCIATION  
 828 EAST JOPPA ROAD  
 TOWSON, MARYLAND 21286

2 February 1993

Mr. Lawrence Schmidt, Zoning Commissioner  
 Room 113, Old Courthouse  
 400 Washington Avenue  
 Towson, MD 21204

Re: CASE NUMBER: No. 93-207-SPHXA (Item 215)  
 Regarding: Showbiz Pizza Time, Inc.  
 Request for: Special Exception for an arcade,  
 Special Hearing for a restaurant, and  
 Variance for children's rides.  
 Location: 9th Election District - 4th Councilmanic  
 E/S Goucher Blvd., SEC Joppa Road

Dear Mr. Schmidt:

Our association does not object to the proposed restaurant  
 provided that certain restrictions are imposed in addition to  
 those recommendations of the Office of Planning and Zoning as  
 defined in their letter of 11 January. We request that any  
 approval include requirements for strict compliance with the  
 following:

1. The restaurant hours will not exceed 11 am to 10 pm Monday  
 through Thursday and 10 am to 11 pm on Friday and Saturday.
2. The special exception for an arcade will be specific to this  
 lessee and not automatically pass to any subsequent lessee.
3. The arcade will be used only by the restaurant patrons.
4. The arcade and rides will be targeted to children between the  
 ages of 3 to 12.
5. No sign, other than those previously approved, will be posted  
 at any point along Joppa Rd. or on the rear of the building.
6. No outside loudspeakers will be used.
7. No alcohol will be sold or permitted to be used on the premises.  
 A liquor license will not be acquired by Showbiz Pizzatime.
8. No activity will be allowed that would jeopardize the health,  
 safety or welfare of the neighboring communities.
9. Additional trash receptacles will be provided to prevent  
 neighborhood litter.

Thank you for considering our concerns in this matter.

Martha H. Clarke  
 Martha H. Clarke, President  
 TOWSON ESTATES ASSOCIATION

Mr. Jeff Long  
 February 1, 1993  
 Page 2

discuss the staff's concerns about the landscaping on the site,  
 you and I agreed that the landscaping restriction should be  
 deleted from the comment letter because of the practical  
 difficulty ShowBiz would encounter in complying with the  
 restriction.

I trust that the revisions to the comment letter and this  
 letter accurately reflect our agreement. If not, please call me  
 at 783-1546.

I appreciate your assistance in handling this matter and am  
 sorry that you will not be able to attending the Hearing.

Very truly yours,  
Melinda B. Antalek  
 Melinda B. Antalek

Enc.

cc: Ms. Lola A. Richert w/ encl. (via telecopy,

11:04AM/CLINT/141414587/LJLong,lt  
 02/01/93 11:04

LAW OFFICES  
**Hazel & Thomas**  
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 4408A RIVERSIDE PARKWAY  
 LEESBURG, VIRGINIA 22075  
 (703) 728-8800

VIA FEDERAL EXPRESS

Mr. Lawrence M. Schmidt  
 Zoning Commissioner for Baltimore County  
 Suite 113 Old Courthouse  
 400 Washington Avenue  
 Towson, Maryland 21204

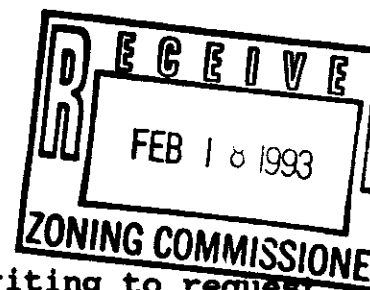
RE: ShowBiz Pizza Time, Inc., Petitioner  
 Case No. 93-207-SPHXA

Dear Mr. Schmidt:

In accordance with our conversation, I am writing to request  
 a revision to your Order dated February 11, 1993 in the above-  
 referenced Zoning Case. If you determine that a revision is  
 appropriate, we would appreciate the issuance of an Amended  
 Order, even though we recognize that this will extend the running  
 of the 30-day appeal period.

As we discussed, our principal concern is with the first  
 sentence of the restriction limiting the approved use to ShowBiz  
 Pizza Time, Inc. That sentence currently reads: "The subject  
 use shall be personal to that corporation and business entity now  
 known as ShowBiz Pizza Time, Inc."

As we indicated during the course of the Hearing and in our  
 phone conversation earlier today, ShowBiz Pizza Time, Inc.  
 ("ShowBiz") often operates its various restaurant locations  
 through separately incorporated subsidiaries. Some of these  
 subsidiaries are wholly-owned and others have unrelated minority  
 stockholders. This is done for operational reasons relating to  
 tax and liability issues. In addition, from time to time,  
 corporations reorganize their entire operational structure to  
 take advantage of tax savings that might be available if they  
 operate their businesses in a different manner. In order to  
 assure that ShowBiz would be able to operate the subject location  
 through a subsidiary or other related entity if it chose to do  
 so, we would prefer to have the language of the Order amended in  
 order to provide us with this flexibility without requiring a  
 subsequent hearing.



**TLRCC**

Towson - Loch Raven Community Council, Inc.  
 P.O. Box 27682  
 Towson, Maryland 21285-7682

February 2, 1993

Mr. Timothy M. Kotroco  
 Deputy Zoning Commissioner  
 for Baltimore County  
 111 West Chesapeake Avenue  
 Towson, MD 21204

RE: 93-207-SPHXA (Item 215)

Dear Mr. Kotroco:

The Towson-Loch Raven Community Council, Inc. (TLRCC),  
 is an umbrella organization composed of 11 neighborhood  
 associations and one community service group. We represent  
 over 5,500 households in central Baltimore County.

The purpose of this letter is to respond to a request  
 from Showbiz Pizza Time, Inc. (t/a Chuck E. Cheese's) for a  
 special exception for an arcade and a variance to permit a  
 maximum of 20 coin operated children's rides in lieu of the  
 permitted maximum of 6 coin operated children's rides.

Due to time constraints, TLRCC was not able to formally  
 meet and discuss Showbiz's petition prior to today's  
 (February 2nd) hearing. In lieu of a meeting, I spoke with  
 the four TLRCC neighborhoods that are in close proximity to  
 the proposed site for Chuck E. Cheese's. I am issuing an  
 advisory letter as a result of my conversations with the  
 following individuals: Ms. Nancy Riegler, President,  
 Fellowship Forrest (137 homes); Ms. Dale Livingston,  
 President, Knettishall (164 homes); Mr. Robert Steil,  
 President, Loch Raven Village (1,472 homes); and Martha  
 Clarke, President, Towson Estates (62 homes). Since Towson  
 Estates has taken a formal position, this letter will focus  
 on comments from the other three nearby neighborhoods.

Generally speaking, the three neighborhoods do not  
 oppose Chuck E. Cheese's request. However, they do share a  
 concern about the impact the granting of an arcade use will  
 have on the future use of this site. Specifically, if the  
 reason Showbiz vacates the property, it leaves the door open  
 for an arcade business that might be detrimental to our  
 area.

To address our concerns, we are asking that  
 restrictions be placed on the arcade use that in effect  
 would limit the arcade use to family oriented  
 restaurant/entertainment centers (like Chuck E. Cheese's or  
 Party On Pizza). We feel this would safeguard our area from  
 unwanted uses of the property.

Mr. Lawrence E. Schmidt  
 February 17, 1993  
 Page 2

For your convenience, I have marked up and attached those  
 pages of the Findings of Fact and Conclusions of Law which we  
 would like to have amended. I was not sure whether you would  
 feel it necessary to amend all portions of your decision relating  
 to this issue or only the language of the Order. Please feel  
 free to revise the language we are proposing or to call me to  
 discuss our request further if you feel it is necessary.

We appreciate your assistance with our request and look  
 forward to hearing from you. On behalf of my client, I would  
 also like to add that we appreciate your promptness in issuing  
 your initial decision.

Very truly yours,  
Melinda B. Antalek  
 Melinda B. Antalek

Enc.

cc: Ms. Lola A. Richert

LAW OFFICES  
**Hazel & Thomas**  
 A PROFESSIONAL CORPORATION

11:04AM/CLINT/141414587/LSchmidt Jr  
 02/17/93 11:02



PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

Martha H. Clarke Townson Estates Assoc.  
824 E. Joppa Rd. Towson, MD 21204

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Melinda B. Antalek  
300 East Lombard St. Baltimore, MD 21202  
444 W. August Avenue, Suite 175  
K.C.I. Technologies, Inc.  
1020 Greenbelt Rd. #204  
The Traffic Group  
3010 York Ave. Suite 200, Towson, MD 21204

# PETITIONER'S EXHIBIT No 1

## PROFESSIONAL RESUME

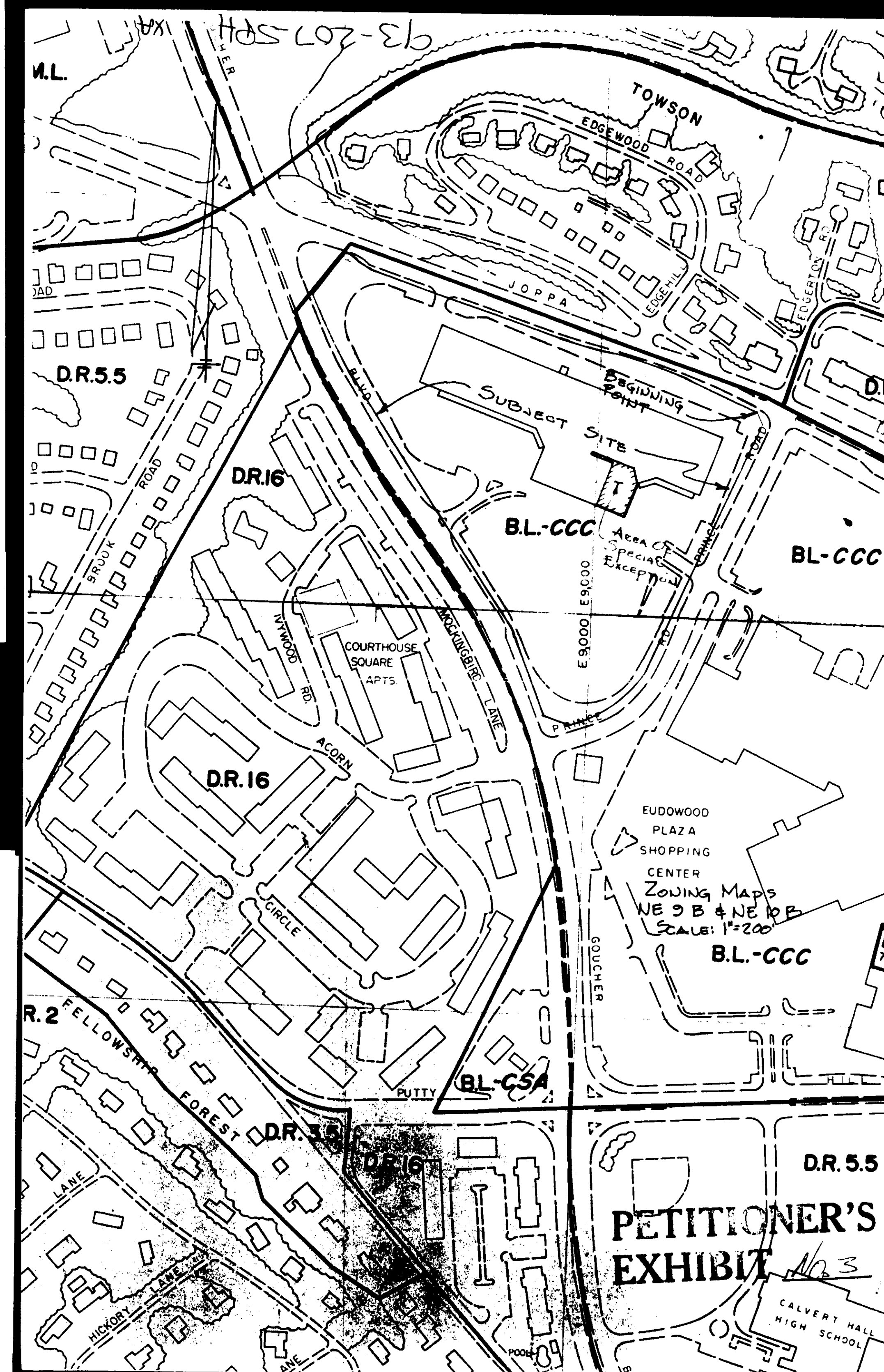
RICHARD L. SMITH

Mr. Smith was born in Baltimore, Maryland and has principally lived in Maryland, graduating from Westminster High School in 1951. At this time he joined the firm of Whitman, Reardon and Associates as a Jr. Draftsman. Mr. Smith rose from that position to that of a Structural Layout Draftsman in the four year period he was with that firm.

In 1954, Mr. Smith was employed by the Bureau of Engineering for Baltimore County in the design of small utility extensions for that County.

In 1955, Mr. Smith joined the firm of Kidde Consultants, Inc. (formerly Matz, Childs and Associates, Inc.) and has been associated with this firm to date, rising from a Designer-Draftsman in the area of utility design work to his present position of a Senior Associate of the firm and Senior Project Manager in the Engineering Section of the Urban Planning and Development Division. Previous assignments include those of Design Engineer, Project Manager, Assistant Chief of the Planning and Zoning Section. Currently, along with his other duties & responsibilities, Mr. Smith is also the Quality Control Officer for the Urban, Planning and Development Division within Kidde Consultants, Inc. Mr. Smith is active with the Baltimore County Chapter of the Home Builders Association of Maryland and is currently serving on the Planning and Zoning Committee, the Public Works Committee and the Environment/Resource Committee. Mr. Smith has been principally associated with commercial and residential land development within this division and currently Mr. Smith assists in the supervision of other planners, engineers and designers and draftsmen in the preparation of engineering plans, land use plans, site plans and studies, landscape plans and supervises the preparation of zoning plats and petitions.

Mr. Smith in this regard has testified as an expert witness for over 20 years in the areas of site planning, site engineering and all phases and matters of land development before the Baltimore County Zoning Commissioner, The Baltimore County Board of Zoning Appeals, The Carroll County Zoning Officer, The Anne Arundel County Zoning Officer, The Howard County Zoning Board, The Harford County Zoning Officer and the Board of Zoning Appeals of Baltimore City.



PETITIONER'S  
EXHIBIT No 1

Traffic Study  
for

CHUCK E' CHEESE

Joppa Road and Goucher Boulevard

Baltimore County, Maryland

Prepared for  
SHOWBIZ PIZZA TIME, INC.

February 1, 1993

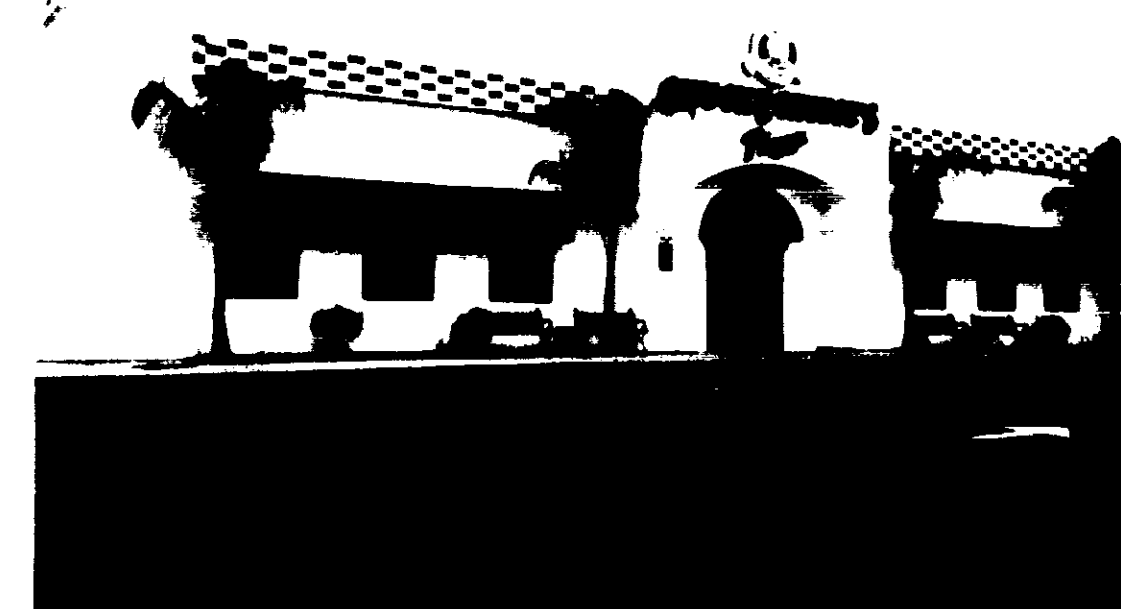
# PETITIONER'S EXHIBIT No 6



BEFORE

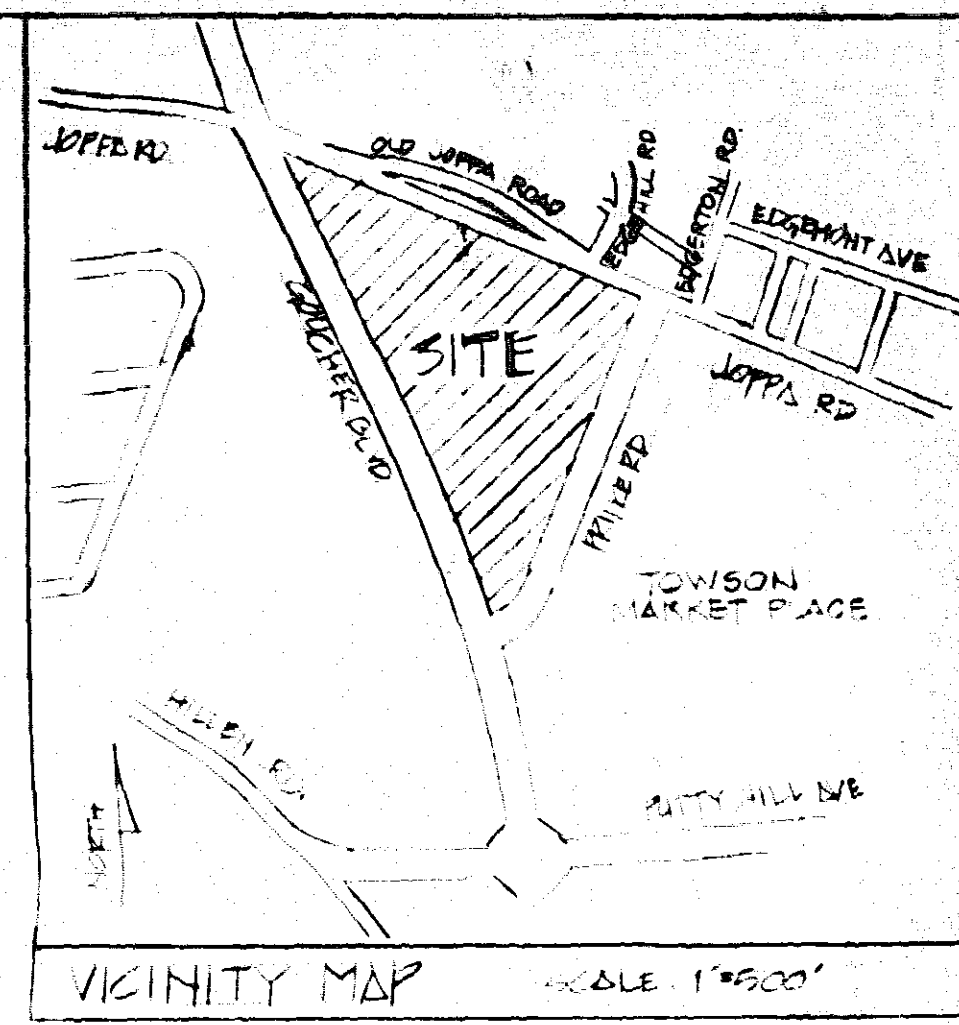


AFTER



# PETITIONER'S EXHIBIT No 7



[illegible]

- [illegible]

- Depoey Zoning Ordinance, Ordinal  
Case No. 88-16-A**
- Therefore, IT IS ORDERED by the Depoey Zoning Commission of Baltimore County, this 28th day of December, 1987, that the herein Petition for Variance to allow a total of 750 parking spaces in and for the proposed #11 garage, and to allow a total of 600 persons to be engaged in the repair of motorcycles and cars on the premises be and is hereby granted, on the following terms and conditions:
1. The applicant, in accordance with the plan prepared by KCT Technology, Inc., instead filed 7/87, marked Petitioner's Exhibit "A", a heavily Canted, Irregular and the like of the City, Police, Bureau, or the following:
1. The lot is to be fronted by a new, 4,000 square foot building, 80 feet on the north side and with 50 feet front yard.
2. A driveway sign reading "The Loft" may be placed on the north side of the lot.
3. The building shall not be situated on a residential street.
4. There shall be no on-street sign, signage on the building and no on-street "The Loft" signs, and the height of the "The Loft" sign shall be no more than 10 feet above the roof line of the building, and two feet from the street.
5. Any new parking lot light shall not exceed 200 feet in height and shall not be on the roof, any corner or placed on the exterior light pole or structure.
6. Persons engaged in the repair of motorcycles of cars on the premises shall not be engaged in the repair of weapons and the placing of these items into fixtures.

93-207-SPHXA

PLAT TO ACCOMPANY PETITIONS  
FOR  
VARIANCE, SPECIAL EXCEPTION & SPECIAL HEARING  
VICINITY  
300 BLOCK GOUCHER BOULEVARD  
ELECTION DISTRICT 2 BALTIMORE COUNTY, MD  
SCALE 1"=50' DATE SEP. 3, 1992

REASONS FOR SPECIAL HEARING

1. TO AVOID THE APPROVED SITE PLANS IN ZONING CASES 80-094 AND 80-339 SPHA

2. TO CONFORM TO THE ORDERS IN ZONING CASES 80-106 AND 80-339 SPHA TO ALLOW A TOTAL PARKING VARIANCE OF 78 SPACES (80-SPACE VARIANCE CASE 80-106A, 17-SPACE VARIANCE CASE 80-339 SPHA)

REASON FOR SPECIAL EXCEPTION  
TO ALLOW A TOTAL OF 39 COIN OPERATED AMUSEMENT  
MACHINES TO BE AN ACCESSORY USE TO A RESTAURANT

SITE DATA  
 Councilman District: 4  
 Census Tract: 4912.01  
 Demo Rep. 4737-412  
 Acct. No.: 09-05-BA0090

OWNER  
LUDWIG HOLDING CORP  
% VOENAG, INC.  
174 PASSAIC STREET  
GARFIELD, NEW JERSEY 07020